**THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY**

**WRIT PETITION No. 22489 of 2007**

**Dated: 12.11.2007**

Between:

D. Habebulla

... Petitioner

AND

The Govt., of A.P., rep., by its
Deputy Transport Commissioner and Secretary,
Transport Department,
Regional Transport Authority, Kurnool,
& others.

... Respondents

Counsel for the petitioner : Sri L.V.S. Nagaraju

Counsel for the respondents : Assistant Government Pleader for Transport

**THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY**

**WRIT PETITION No. 22489 of 2007**

**ORDER:-**

This writ petition is filed for a writ of mandamus to declare Memo dated 30.06.2007 issued by respondent No.1, as illegal and arbitrary.

The impugned memo was issued on the basis of report dated 07.07.2001 of Regional Vigilance and Enforcement Officer, Kurnool.

At the hearing, both the learned counsel appearing for the parties agreed that the issue whether the Regional Vigilance and Enforcement Officer has jurisdiction to submit a report on the weighment of the goods vehicles and consequent overloading is covered by a judgment of this Court in **M. Muralidhar Reddy (died) v. Deputy Transport Commissioner and Secretary, Regional Transport Authority, Kurnool**[1], wherein it is held that the Regional Vigilance and Enforcement Officer, Kurnool is denuded of the jurisdiction under the provisions of the Motor Vehicles Act, 1988.

In view of the same, the writ petition is allowed and order dated 30.06.2007 impugned in this writ petition is set aside with the direction that the said judgment in **M.Muralidhar Reddy (supra)** shall be read as part of this order.

As a sequel to disposal of the writ petition in the manner indicated above, WPMP.No.29211 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

**C.V. NAGARJUNA REDDY, J**

Date: 12.11.2007
ES

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[1] 2003 (5) ALT 601